

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MANUELA ONTIVEROS-LERMA,

Plaintiff,

vs.

Civ. No. 99-1008 LH/WWD ACE

ROGER TERRAZAS, JEFFREY GARBOW,
JOE ALVAREZ in their individual capacities,
and the COUNTY OF DONA ANA,

Defendants.

MEMORANDUM OPINION AND ORDER

This matter comes before the Court upon Plaintiff's Motion to Re-Open Discovery [docket no. 83] filed August 24, 2000. No response to the motion has been filed. The instant motion, which seeks discovery limited to matters relating to the belatedly produced "Corwin Reports", will be granted. Defendants have been unresponsive to orders of the Court, and their counsel have failed to act in a diligent and professional manner.

Plaintiff may take such discovery as she deems fit with respect to Katherine Cardon, Charles Mashburn, Ken Wright, Enrique Duran, Paco Luna, Dorraine Garcia, Cynthia Hammel, Robert Campos, Audrey Beamon, Larry Belter, Kat Johnson, Irma (last name unknown), Emma Murrillo, Pedro Porras, Able Chaparo, Michael Corwin, and Cheryl Roach. Plaintiff shall also be allowed to redepose Defendants Garbow and Alvarez. Additionally, the nurses' report referred to on page 6 of Plaintiff's memorandum, the "little black notebook" of Supervisor Charles Mashburn referred to on page 6 of Plaintiff's memorandum, and the "hard copy of all documents" which was

to accompany Mr. Corwin's reports, shall be produced to Plaintiff on or before October 20, 2000.

Depositions of any of the persons aforementioned may be taken by the Plaintiff upon five (5) days notice to Defendants. Further obstruction of the discovery process by counsel for the County of Dona Ana will not be tolerated.

Discovery shall proceed in accordance with the foregoing.

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE